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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,374	02/01/2001	Thomas G. Zimmerman	ARC920000052US1	7776

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EXAMINER

PHAN, HANH

ART UNIT	PAPER NUMBER
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2633

DATE MAILED: 06/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/775,374

Applicant(s)

ZIMMERMAN, THOMAS G.

Examiner

Hanh Phan

Art Unit

2633

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 20-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 20-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's election without traverse of Group I directed to claims 1-9 and 20-25 in Paper No. 5 is acknowledged.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the feature "**an output buffer**" specified in the claim 1 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The

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disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

-The abstract exceeds 150 words in length. Correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 6-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 6 recites the limitation "the incoming signal strength" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 7 recites the limitation "the incoming signal strength" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 8 recites the limitation "the incoming signal strength" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-3, 9, 20 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsujii et al (US Patent No. 4,397,042) in view of Williamson et al (US Patent No. 5,659,299 cited by applicant).

Regarding claims 1, 3, 20 and 23, referring to figures 1-4, Tsujii discloses an optical communication system to extend a range or data communications comprising:

a communication device (i.e., the transmission side , Fig. 1);

an output buffer (Fig. 1);

an optical transmitter (i.e., light emitting element 10, Fig. 1) associated with the device;

wherein the transmitter transmits optical data comprising a message bit that is represented by a plurality of optical transmission pulses for each bit in the output buffer (col. 2, lines 59-67 and col. 3, lines 1-54).

Tsujii differs from claims 1, 3, 20 and 23 in that fails to teach the optical transmitter is an infrared transmitter. However, Williamson in US Patent No. 5,659,299 teaches an infrared transmitter (Fig. 2, col. 1, lines 49-60, col. 2, lines 51-58 and col. 20, lines 22-59). Therefore, it would have been obvious to one having skill in the art at the time invention was made to incorporate the optical transmitter is an infrared transmitter as taught by Williamson in the system Tsujii. One of ordinary skill in the art would have been motivated to do this since Williamson suggests in column col. 1, lines 49-60, col. 2, lines 51-58 and col. 20, lines 22-59 that using such an infrared transmitter has advantage of allowing eliminating the wire connection, saving cost of whole system and portability.

Regarding claim 2, Tsujii further teaches the plurality of optical transmission pulses are identical for each bit in the output buffer (Figs. 1-4).

Regarding claim 9, the combination of Tsujii and Williamson teaches an infrared receiver for receiving incoming signals from a stationary object wherein the infrared receiver and infrared transmitter comprise a transceiver for asymmetric communication for slow transmission and fast reception of information (Fig. 2 of Williamson).

8. Claims 4, 21 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsujii et al (US Patent No. 4,397,042) in view of Williamson et al (US Patent No. 5,659,299 cited by applicant) and further in view of the Prior Art Figure 1.

Regarding claims 4, 21 and 24, Tsujii as modified by Williamson differs from claims 4, 21 and 24 in that it fails to teach the device for receiving user inputs comprises pre-existing unmodified hardware devices selected from the group of pre-existing unmodified hardware devices of: a personal data assistant, a 3Corn Palm Pilot compatible device, and a Windows CE based device. However, the Prior Art Figure 1 teaches the device for receiving user inputs comprises pre-existing unmodified hardware devices selected from the group of pre-existing unmodified hardware devices of: a personal data assistant, a 3Corn Palm Pilot compatible device, and a Windows CE based device. Therefore, it would have been obvious to one having skill in the art at the time invention was made to incorporate the device for receiving user inputs comprises pre-existing unmodified hardware devices selected from the group of pre-

existing unmodified hardware devices of: a personal data assistant, a 3Corn Palm Pilot compatible device, and a Windows CE based device as taught by the Prior Art Figure 1 in the system Tsujii modified by Williamson. One of ordinary skill in the art would have been motivated to do this since the Prior Art Figure 1 suggests that using such an device has advantage of allowing exchanging information between the user terminals.

9. Claims 5-8, 22 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsujii et al (US Patent No. 4,397,042) in view of Williamson et al (US Patent No. 5,659,299 cited by applicant) and further in view of Haartsen et al (US Patent No. 6,519,236).

Regarding claims 5-8, 22 and 25, Tsujii as modified by Williamson differs from claims 5-8, 22 and 25 in that it fails to a display for displaying a visual representation of incoming signal strength. However, Haartsen in US Patent No. 6,519,236 teaches a display for displaying a visual representation of incoming signal strength (Fig. 3, col. 5, lines 26-67 and col. 6, lines 1-5). Therefore, it would have been obvious to one having skill in the art at the time invention was made to incorporate the display for displaying a visual representation of incoming signal strength as taught by Haartsen in the system Tsujii modified by Williamson. One of ordinary skill in the art would have been motivated to do this since Haartsen suggests in column 5, lines 26-67 and col. 6, lines 1-5 that using such an display for displaying a visual representation of incoming signal strength has advantage of allowing providing a reliable connection between the user terminals.

Conclusion

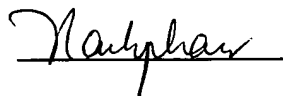
10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Minteer (US Patent No. 6,188,494) discloses fiber optic transceiver.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh Phan whose telephone number is (703)306-5840.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan, can be reached on (703)305-4729. The fax phone number for the organization where this application or proceeding is assigned is (703)872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-4700.



Hanh Phan

05/20/2004